

COMMITTEE AMENDMENT FORM

DATE: 8/27/ 08

COMMITTEE ZONING

PAGE NUM. (S) 1

ORDINANCE I. D. #08-O-0862

SECTION (S)

RESOLUTION I. D. #08-R-

PARA.

AMENDS THE LEGISLATION BY ADDING FIVE (5) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING JUNE 27, 2008.

AMENDMENT DONE BY COUNCIL STAFF 8/27/08

City Council
Atlanta, Georgia

08-O-0862

Z-08-28

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Date Filed: 4-8-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **100, 102, 108 and 112 Sewanee Avenue, N.W.**, be changed from the R-4 (Single Family Residential), and R4A (Single Family Residential) Districts to the R-4B-C (Single Family Residential-Conditional) District and the MR-2-C (Multifamily Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 206. 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey/map.

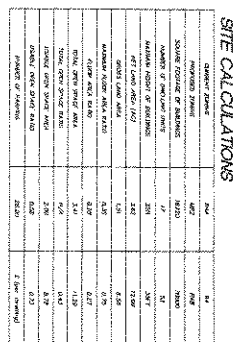
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Conditions for
Z-08-28 for 102, 100, 80, 112, 108 Sewanee Ave. and Verbena Street, N.W.**

1. Site plan dated 2-20-2008, titled "Verbenna Place Subdivision", and marked received by the Bureau of Planning on June 27, 2008. The site plan is not intended to restrict the application of the MR-2 district regulations or the requirements of Part 15-The Land Subdivision Ordinance. The property rezoned to R4B will submission of a subdivision application for the creation of the single family lots. The creation of the single family lots must be in compliance with the regulations of the City of Atlanta's Land Subdivision Ordinance.
2. Ellendale Street will not be extended. A plan for landscaping this area must be submitted to the Bureau of Planning for review and approval prior to the submission of an application for a building permit.
3. Building materials for the new homes shall include a combination of cedar shake, cement blocks, hardiplank. Brick may be provided. Stucco may be used on the foundation of the homes. No vinyl siding shall be used.
4. Construction of a wrought iron fence along the rear and side property lines for the property currently occupied by Mrs. Vann.
5. A landscaping plan for the point of ingress and egress at Sewanee Street shall be submitted to the Bureau of Planning for review and approval prior to the application of a building permit.



2-08-28
Amended



05/03/2015

L.L. 179, 181, 183 AND 205 1/2 MI. DISTRICT

ALL THIS COUNTY RECORDS



LAI ENGINEERING
 PARKWAY CENTER -
 1800 PARKWAY PL. - STE. 720
 MARIETTA, GA 30067
 PHONE: 770.423.0807
 FAX: 770.423.1262
 WWW.LAIENGINEERING.COM

CSPII

COATE 04-10-2003
Chapman 2003

City Council
Atlanta, Georgia

08-  -0862

AN ORDINANCE
BY: ZONING COMMITTEE

Z-08-28
Date Filed: 4-8-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **100, 102, 108 and 112 Sewanee Avenue, N.W.**, be changed from the R-4 (Single Family Residential), and R4A (Single Family Residential) Districts to the R-4B (Single Family Residential) District and the MR-2 (Multifamily Residential) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 206. 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Parcel 1 of 7

RECEIVED
APR - 8 2008
Bureau of
Planning

Tract 1

All that tract or parcel of land lying and being in land lots 205 and 206 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

206.7

BEGINNING at the point of intersection of land lots 179, 180, 205 and 206 aforesaid district and County, said point being THE TRUE POINT OF BEGINNING; Thence South 00 Degrees 39 Minutes 06 Seconds West, a distance of 116.78 feet to a 5/8 inch rebar set on the Northern right of way line of CSX Transportation Rail Road; Thence along said Northern right of way line of CSX Transportation Rail Road along a curve to the left having a radius of 1764.78 feet, and an arc length of 52.71 feet, being subtended by a chord bearing North 78 degrees 54 Minutes 08 Seconds West, a distance of 52.71 feet to a 5/8 inch rebar set on the intersection of said Northern right of way line of CSX Transportation Rail Road and the Western right of way line of Interstate Highway 20 (200' r/w); Thence along said Western right of way line of Interstate Highway 20 the following courses and distances: 1) North 45 Degrees 25 Minutes 38 Seconds West, a distance of 30.18 feet to a concrete monument found; 2) North 38 Degrees 52 Minutes 10 Seconds West, a distance of 113.27 feet to a 5/8 inch rebar set; 3) North 39 Degrees 29 Minutes 01 Seconds West, a distance of 313.20 feet to a concrete monument found; 4) North 27 Degrees 23 Minutes 54 Seconds West, a distance of 317.54 feet to a 5/8 inch rebar set; 5) North 26 Degrees 20 Minutes 17 Seconds West, a distance of 139.02 feet to a concrete monument found; 6) North 33 Degrees 42 Minutes 06 Seconds West, a distance of 373.52 feet to a one inch open top pipe found; Thence leaving Western right of way line of Interstate Highway 20 South 89 Degrees 43 Minutes 49 Seconds East, a distance of 771.02 feet to a 5/8 inch rebar set; Thence South 00 Degrees 40 Minutes 06 Seconds West, a distance of 933.17 feet to a 5/8 inch rebar set; Thence South 00 Degrees 39 Minutes 06 Seconds West, a distance of 25.00 feet to a point, said point being THE TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 10.589 acres more or less, as described on that certain plat of survey prepared for Habitat for Humanity in Atlanta, Inc., by LAI Engineering, Michael G. High, Georgia Registered Land Surveyor No. 2986, on August 31, 2006, last revised April 27, 2007, and re-certified on May 2, 2007, Job Number 6156, said survey being incorporated herein by this reference.

Parcel 2 of 7

102 Sewanee
Ave

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Planning

208-08

Tax Parcel No. 14-0179-0003-023-5- Sewanee Avenue N.W. (Survey)

All that tract or parcel of land lying and being in Land Lot 179 of the 14th land District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING on the west side of Sewanee Avenue (a 40 foot right-of-way) at a point 120.00 feet north of a 5/8 inch rebar set at the intersection formed by the west right-of-way of Sewanee Avenue and the north right-of-way of Verbena Street (a 50 foot right-of-way); running thence North 00 degrees 40 minutes 06 seconds East along the west right-of-way line of Sewanee Avenue, a distance of 60.00 feet to a point; running thence North 89 degrees 19 minutes 54 seconds West, a distance of 160.00 feet to a point; running thence South 00 degrees 40 minutes 06 seconds West, a distance of 60.00 feet to a point; running thence South 89 degrees 19 minutes 54 seconds East, a distance of 160.00 feet to the Point of Beginning as described on that certain plat of survey prepared for Habitat for Humanity in Atlanta, Inc., by LAI Engineering, Michael G. High, Georgia Registered Land Surveyor No. 2986, on August 31, 2006, Job Number 6156, said survey being incorporated herein by this reference.

Parcel 3 of 7

100 Sewanee Ave

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Tract 4 (Survey)- Tax Parcel No. 14-0179-0003-024-3 Sewanee Avenue N.W.

All that tract or parcel of land lying and being in Land Lot 179 of the 14th land District, Fulton County, Georgia, being more particularly described as follows:

2-08-08

BEGINNING on the west side of Sewanee Avenue (a 40 foot right-of-way) at a point 60.00 feet north of a 5/8 inch rebar set at the intersection formed by the west right-of-way of Sewanee Avenue and the north right-of-way of Verbena Street (a 50 foot right-of-way); running thence North 00 degrees 40 minutes 06 seconds East along the west right-of-way line of Sewanee Avenue, a distance of 60.00 feet to a point; running thence North 89 degrees 19 minutes 54 seconds West, a distance of 160.00 feet to a point; running thence South 00 degrees 40 minutes 06 seconds West, a distance of 60.00 feet to a point; running thence South 89 degrees 19 minutes 54 seconds East, a distance of 160.00 feet to the Point of Beginning as described on that certain plat of survey prepared for Habitat for Humanity in Atlanta, Inc., by LAI Engineering, Michael G. High, Georgia Registered Land Surveyor No. 2986, on August 31, 2006, Job Number 6156, said survey being incorporated herein by this reference.

Parcel 4 of 7

80 Sewanee Ave

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2-08-08

Tract 4A - Tax Parcel No. 14-0179-0003-025-0 Sewanee Avenue N.W.

All that tract or parcel of land lying and being in land Lot 179 of the 14th District, Fulton County, Georgia and being Lot 25 of Block A, of Fairfield Heights Subdivision as per plat recorded in Plat Book 26, Page 16, Fulton County Records and being more particularly described as follows:

BEGINNING at a point on the Northwest corner of Verbena Street and Sewanee Street (said point of beginning being the Southeast corner of the aforesaid Lot 25); running thence North along the West side of Sewanee Street Sixty (60) feet to a point at the South line of Lot 24 of said Block and Subdivision and being the property of Atlanta Gas Light Company; running thence West along the South line of said Lot 24 and Atlanta Gas Light Company property One Hundred Sixty (160) feet to a point; running thence South Sixty (60) feet to a point on the North side of Verbena Street; running thence East along the North side of Verbena Street One Hundred Sixty (160) feet to a point at the Northwest corner of Verbena Street and Sewanee Street and the POINT OF BEGINNING.

Parcel 5 of 7

112 Sewanee Ave

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Tax Parcel No. 14-0179-0003-021-9 – Sewanee Avenue N.W. (Survey)

All that tract or parcel of land lying and being in Land Lot 179 of the 14th land District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING on the west side of Sewanee Avenue (a 40 foot right-of-way) at a point 240.00 feet north of a 5/8 inch rebar set at the intersection formed by the west right-of-way of Sewanee Avenue and the north right-of-way of Verbena Street (a 50 foot right-of-way); running thence North 00 degrees 40 minutes 06 seconds East along the west right-of-way line of Sewanee Avenue, a distance of 60.00 feet to a 5/8 inch iron pin found; running thence North 89 degrees 19 minutes 54 seconds West, a distance of 160.00 feet to a point; running thence South 00 degrees 40 minutes 06 seconds West, a distance of 60.00 feet to a point; running thence South 89 degrees 19 minutes 54 seconds East, a distance of 160.00 feet to the Point of Beginning as described on that certain plat of survey prepared for Habitat for Humanity in Atlanta, Inc., by LAI Engineering, Michael G. High, Georgia Registered Land Surveyor No. 2986, on August 31, 2006, Job Number 6156, said survey being incorporated herein by this reference.

Parcel 6 of 7

108

RECEIVED

APR - 8

Bureau of
Planning

2-08-08

Tax Parcel No. 14-0179-0003-022-7- Sewanee Avenue N.W. (Survey)

All that tract or parcel of land lying and being in Land Lot 179 of the 14th land District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING on the west side of Sewanee Avenue (a 40 foot right-of-way) at a point 180.00 feet north of a 5/8 inch rebar set at the intersection formed by the west right-of-way of Sewanee Avenue and the north right-of-way of Verbena Street (a 50 foot right-of-way); running thence North 00 degrees 40 minutes 06 seconds East along the west right-of-way line of Sewanee Avenue, a distance of 60.00 feet to a point; running thence North 89 degrees 19 minutes 54 seconds West, a distance of 160.00 feet to a point; running thence South 00 degrees 40 minutes 06 seconds West, a distance of 60.00 feet to a point; running thence South 89 degrees 19 minutes 54 seconds East, a distance of 160.00 feet to the Point of Beginning as described on that certain plat of survey prepared for Habitat for Humanity in Atlanta, Inc., by LAI Engineering, Michael G. High, Georgia Registered Land Surveyor No. 2986, on August 31, 2006, Job Number 6156, said survey being incorporated herein by this reference.

Parcel 7 of 7

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2-08-08

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 206 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHERE THE WEST LINE OF ELLENDALE LANE INTERSECTS THE SOUTH LINE OF BLOCK C OF THE HARVEL HOMES SUBDIVISION WHICH POINT IS 195.47 FEET SOUTH OF THE SOUTHWEST CORNER OF ELLENDALE LANE AND SCOTTRIDGE DRIVE; RUNNING THENCE WEST ALONG THE SOUTH LINE OF SAID HARVEL HOMES SUBDIVISION NORTH 89 DEGREES 50 MINUTES 04 SECONDS WEST A DISTANCE OF 634.87 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 05 DEGREES 12 MINUTES 40 SECONDS WEST A DISTANCE OF 136.80 FEET TO AN IRON PIN FOUND ON THE RIGHT OF WAY OF I-20; RUNNING THENCE SOUTH 34 DEGREES 04 MINUTES 23 SECONDS EAST ALONG THE NORTHEAST RIGHT OF WAY OF I-20 A DISTANCE OF 84.50 FEET TO A POINT; RUNNING THENCE SOUTH 89 DEGREES 50 MINUTES 10 SECONDS EAST 772.57 FEET TO A FENCE CORNER AND THE EAST LINE OF LAND LOT 206; RUNNING THENCE NORTH 00 DEGREES 06 MINUTES 00 SECONDS WEST A DISTANCE OF 206.10 FEET ALONG THE EAST LINE OF LAND LOT 206, RUNNING THENCE NORTH 89 DEGREES 50 MINUTES 04 SECONDS WEST ALONG THE SOUTH LINE OF HARVEL HOMES SUBDIVISION 122.56 FEET TO AN IRON PIN FOUND AT THE RIGHT OF WAY OF ELLENDALE LANE, CONTINUING THENCE ALONG THE RIGHT OF WAY OF ELLENDALE LANE 49.69 FEET TO AN IRON PIN FOUND AND THE POINT OF BEGINNING, SAID TRACT CONTAINING 166.453 SQUARE FEET OR 3.821 ACRES AS PER PLAT BY A. S. GIOMETTI AND ASSOCIATES. INC. DATED JANUARY 10, 1996.

Being '0' Hightower Road, Atlanta, GA 30318 Tax ID: 14-0206-0004-067-8

RCS# 1941
5/05/08
4:51 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

08-O-0862, 08-O-0863, 08-O-0864

REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	B Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE